

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BILL JOSEPH SERRIS,

Plaintiff,

v.

SOLANO COUNTY, et al.,

Defendants.

No. 2:24-cv-2251-DAD-SCR

ORDER TO SHOW CAUSE

Plaintiff is proceeding pro se in this action, which was referred to the undersigned in accordance with Local Rule 302(c)(21) and 28 U.S.C. § 636. On August 19, 2024, Plaintiff filed a complaint and a motion to proceed in forma pauperis (“IFP”). ECF Nos. 1 and 2. On November 5, 2024, this Court screened the complaint per the screening process required by 28 U.S.C. § 1915(e)(2) and found the complaint was deficient in that it did not comply with Federal Rule of Civil Procedure 8 and failed to state a claim. ECF No. 3. The complaint did not contain a short and plain statement showing Plaintiff’s entitlement to relief. ECF No. 3 at 3-4. The Court’s order provided in relevant part that Plaintiff shall have 30 days to file an amended complaint, and such amended complaint “must comply with Rule 8.” *Id.* at 5. The Order warned that failure to comply may result in a recommendation that the action be dismissed. *Id.*

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1 On December 4, 2024, Plaintiff filed a first amended complaint (“FAC”). ECF No. 4.
2 The Court screened the FAC and found it legally insufficient and incomplete. ECF No. 5. The
3 Court noted that Plaintiff’s complaint contained statements such as “there is a lot more,” “will
4 redraft this portion soon,” and that the “Causes of Action” section of the FAC was incomplete and
5 did not list any causes of action. *Id.* at 3-4. The Court allowed Plaintiff 30 days to file a second
6 amended complaint (“SAC”). That time expired on February 27, 2025, and no SAC has been
7 filed. The Court’s order cautioned that failure to comply may result in a recommendation that the
8 action be dismissed. *Id.* at 7-8.

9 Good cause appearing, **IT IS HEREBY ORDERED** that **Plaintiff shall show cause, in**
10 **writing, within 14 days**, why the failure to file a SAC should not result in a recommendation that
11 this case be dismissed based on the deficiencies raised in the prior screening orders. Plaintiff may
12 respond by filing a SAC that complies with the Court’s prior order. If Plaintiff no longer wishes
13 to pursue this action, Plaintiff may file a notice of voluntary dismissal of this action pursuant to
14 Rule 41 of the Federal Rules of Civil Procedure. If Plaintiff fails to timely respond to this order,
15 the Court will recommend dismissal of this case.

16 **SO ORDERED.**

17 DATED: March 10, 2025

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20 SEAN C. RIORDAN
21 UNITED STATES MAGISTRATE JUDGE
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